

REMARKS

Claims 1-14 and 16-20 are pending and at issue in the application with claims 1, 7, 14 and 16-18 being independent claims. Claims 1-5, 7, 10, 12, 14, 16 and 17 have been amended. Claim 15 has been canceled. Claims 18-20 have been added. As a result, 6 independent claims now exist in the application as compared to the 2 independent claims previously paid for, and 19 total claims exist in the application as previously paid for. A check in the amount of \$600.00 has been enclosed to cover the fee for consideration of 3 additional independent claims not covered by the original filing fee. However, the commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required under 37 C.F.R. 1.16 or 1.17 to Deposit Account No. 13-2855. Reconsideration and withdrawal of the rejections in view of the remarks below is respectfully requested.

Claims 7, 16 and 17 were rejected under 35 U.S.C. § 112, ¶ 2 as being dependent upon a rejected base claim, but were indicated as being allowable if rewritten in independent form. Claims 7, 16 and 17 have been amended to be independent including all the limitations of their base claim and all intervening claims. As a result, the applicant submits that each of claims 7, 16 and 17 is in condition for allowance.

The applicant respectfully traverses the rejections of claims 1-17 under 35 U.S.C. § 112, ¶ 2 as being indefinite. In particular, lines 4-5 of amended claim 1 recite "a detecting signal" which provides clear antecedent basis to the recitation of "the detecting signal" on line 7. Amended claim 2 recites "wherein the operating frequency decision unit comprises an inverter for inverting a level of a most significant bit of the CAS latency", thereby clearly indicating the output signal of the operating frequency decision unit. Amended claims 10 and 12 each clearly and definitively recite "first fuses connected in parallel to the resistors". Line 6 of amended claim 14 recites "a result of the determination step" thereby providing antecedent basis.

The applicant respectfully submits that each of claims 1 and 14 provide clear antecedent basis for "an internal clock signal" as recited on line 6 and lines 5-6, respectively. The office action asserts that it is unclear if the internal clock signal in the body of the claim is the same as the internal clock signal recited in the preamble of the claims. In particular, the preamble of each of claims 1 and 14 recites a statement of purpose or intended use of the

invention, rather than a limitation of the claim.¹ As a result, the "internal clock signal" recited in the preamble of claims 1 and 14 is of no significance to claim construction, and the recitation of "an internal clock signal" in the body of each of claims 1 and 14 introduces the term and possesses clear antecedent basis. Based on the foregoing, the applicant respectfully submits that each of claims 1-17 is not indefinite under 35 U.S.C. § 112, ¶2.

Turning now to the prior art rejections, the applicant respectfully traverses the rejections of claims 1, 5, 6 and 13-15 as anticipated by Lee (U.S. Patent No. 5,844,438). Each of claims 1-14 and 16-20 recites a circuit or method of generating an internal clock signal which determines whether an external clock signal is a low frequency or a high frequency depending on a column address strobe (CAS) latency.

The applicant submits that claims 1 and 14 are not anticipated or rendered obvious by Lee, because Lee does not teach each and every element of independent claims 1 and 14. In particular, the cited portions of Lee does not teach or suggest an apparatus or method that determines whether an external clock signal is a low frequency or a high frequency depending on a CAS latency, as recited in claims 1 and 14. Although Lee discloses an internal clock generating circuit which includes a clock rate detector 50, the clock rate detector 50 only includes a reference pulse signal `ref_oh` and a system clock `CLK` as its two inputs and outputs an output signal `SS`. (Fig. 7; col. 8, ll. 32-36; see also col. 7, ll. 8-22). The reference pulse signal `ref_oh` has a pulse width corresponding to $t_{CLref(OH)}$ which is the low level time of the system clock `CLK`. (Col. 8, ll. 19-22). The system and method of Lee then determines whether the clock rate of the system clock `CLK` is higher or lower than the clock rate of the reference pulse signal `ref_oh` according to the output signal `SS`. (Col. 8, ll. 32-36). However, the output signal `SS` of the clock rate detector 50 is not a column address strobe (CAS) latency. As such, the clock rate detector 50 does not determine whether an external clock signal is a low frequency or high frequency depending on a CAS latency, as recited in claim 1.

¹ "If the body of a claim fully and intrinsically sets forth all of the limitations of the claimed invention, and the preamble merely states, for example, the purpose or intended use of the invention, rather than any distinct definition of any of the claimed inventions limitations, then the preamble is not considered a limitation and it is of no significance to the claim construction." MPEP 2111.02

Finally, new claims 18-20 have been added. Each of claims 18-20 recites a circuit for generating an internal clock signal which includes an operating frequency decision unit for outputting a detecting signal which indicates whether an external clock signal is a low frequency or a high frequency in response to a column address strobe (CAS) latency. For the reasons discussed above, claims 18-20 are patentable over the cited references.

Accordingly, the applicant respectfully submits that amended independent claims 1, 7, 14, 16 and 17, and independent claim 18 are novel and non-obvious in view of Lee and should be allowed. Further, dependent claims 3-13, 19 and 20, which are dependent on the aforementioned independent claims are also submitted to be in allowable form. In light of the foregoing, the prompt issuance of a notice of allowance is respectfully solicited. Should the examiner have any questions, the examiner is respectfully invited to telephone the undersigned.

Respectfully submitted,

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